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7 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:10-CR-587-KJD-(GWF)
11 DENIRO WESTFIELD,)
12 Defendant.)
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15 **GOVERNMENT'S UNOPPOSED MOTION**
TO CONTINUE THE DATE FOR IT TO RESPOND TO
SUMMER JACQUE'S MOTION FOR RETURN OF PROPERTY

16 The United States of America ("United States"), by and through Daniel G. Bogden, United
17 States Attorney for the District of Nevada and Michael A. Humphreys, Assistant United States
18 Attorney, respectfully moves this Court to grant an extension of time, until and including May 25,
19 2013, for the United States to file its response to Summer Jacque's Motion To Return Property, that
20 property being identified as:

21 a Glock, Model 19, 9mm, handgun, serial number: GVM864.

22 The Government's Opposition is currently due on February 25, 2013. Summer Jacques,
23 proceeding *pro se*, consents to this motion. In this case, the defendant, Deniro Westfield, was
24 indicted on December 7, 2010, for possessing, concealing and/or storing a firearm. On July 7, 2011,
25 defendant Westfield pled guilty to possessing, concealing and/or storing a firearm. As a condition
26 of his plea agreement, executed before his change of plea, the defendant consented to the criminal

1 forfeiture of the above-referenced handgun seized from him coincident to his arrest. The United
2 States learned through its own investigation that Summer Jacque was the true owner of that handgun.
3 The United States Attorney for the District of Nevada formally notified Ms. Jacque about the gun
4 and consistent with that notification, Ms. Jacque filed her Motion for Return of Property on February
5 6, 2013.

6 Pursuant to that filing, this Court ordered the United States to file its opposition to Ms.
7 Jacque's motion by February 25, 2013. The parties are in the final stages of negotiating a settlement
8 of this matter, and once executed and presented to this Court for ratification, the litigation will be
9 complete, vitiating the need for the Government to file a response to Ms. Jacque's motion. This
10 matter should be settled by May 25, 2013.

11 As noted above, Government counsel discussed the matter of a government continuance with
12 Summer Jacque on February 25, 2013, and Ms. Jacque gave Government counsel authorization to
13 represent to this Court that she (Ms. Jacque) consents to this motion.

14 This motion is not submitted solely for the purpose to delay or for any other improper
15 purpose.

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1 WHEREFORE, the United States moves this Court to grant its motion to extend the time for
2 the United States to file its Response To Summer Jacque's Motion For Return of Property until May
3 25, 2013.

4 DATED this 25th day of February, 2013.

5 Respectfully submitted,

6 DANIEL G. BOGDEN
7 United States Attorney

8 /s/Michael A. Humphreys
9 MICHAEL A. HUMPHREYS
10 Assistant United States Attorney

11 IT IS SO ORDERED:
12 
13 UNITED STATES MAGISTRATE JUDGE
14 DATED: February 26, 2013

PROOF OF SERVICE

I, Michelle C. Lewis, certify that on February 25th, 2013, the foregoing Government's Unopposed Motion to Respond to the Date for the Government to Respond to Summer Jacque's Motion for Return of Property, served Summer Jacque, proceeding *pro se*, by the below identified method of service:

U.S. Mail

Summer Jacque
Bargull Bay Ave.
Las Vegas, NV 89131

/s/Michelle C Lewis
MICHELLE C. LEWIS
Paralegal Specialist